

## **MINUTES**

### **MONTANA SENATE 65th LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON HIGHWAYS AND TRANSPORTATION**

**Call to Order:** Chair Gordon Vance, on March 16, 2017 at 2:30 P.M., in Room 405 Capitol

#### **ROLL CALL**

##### **Members Present:**

Sen. Gordon Vance, Chair (R)  
Sen. Steve Fitzpatrick, Vice Chair (R)  
Sen. Carlie Boland (D)  
Sen. Dee Brown (R)  
Sen. Edward Buttrey (R)  
Sen. Terry Gauthier (R)  
Sen. JP Pomnichowski (D)  
Sen. Roger Webb (R)  
Sen. Lea Whitford (D)

**Members Excused:** Sen. Jen Gross (D)

**Members Absent:** None

**Staff Present:** Laura Sankey Keip, Legislative Branch  
Tia Stockton, Committee Secretary

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

##### **Committee Business Summary:**

Hearing & Date Posted: HB 415, 3/9/2017; HB 459, 3/9/2017; HB 225, 3/9/2017; SB 332, 3/9/2017

Executive Action: HB 335 - Be tabled

00:00:03 Chair Vance

**HEARING ON HB 225**

**Opening Statement by Sponsor:**

00:01:14 Rep. Edward Greef (R), HD 88, opened the hearing on HB 225, Funding of maintenance for paved paths.

00:02:31 Sen. Buttrey entered the meeting.

00:02:58 Sen. Pomnichowski entered the meeting.

**Proponents' Testimony:**

00:07:58 Melinda Barnes, executive director, Bike Walk Montana  
[EXHIBIT\(his55a01\)](#)

00:10:34 M.C. Beeby, volunteer, Bike Walk Helena

00:11:58 Gene Townsend, chairman, Headwaters Trail System

00:13:17 Bob Walker, volunteer, Montana Trails Recreation and Parks Association

00:14:17 Jackie Boyle, American Association of Retired Persons Montana

00:14:53 R. Edward Banderob, representing himself

[EXHIBIT\(his55a02\)](#)

00:15:37 Sen. Fitzpatrick entered the meeting.

00:20:38 Sen. Buttrey

**Opponents' Testimony:**

00:21:03 Shantil Siaperas, Montana Association of Counties  
[EXHIBIT\(his55a03\)](#)

**Informational Testimony:**

00:22:12 Lisa Wanke, Motor Vehicle Division, Department of Justice (DOJ)

00:22:48 Lynn Zanto, Montana Department of Transportation (MDT)

**Questions from Committee Members and Responses:**

00:23:16 Sen. Buttrey

00:23:34 Rep. Greef

00:24:06 Sen. Buttrey

00:24:17 Rep. Greef

00:24:38 Sen. Brown

00:24:54 Ms. Zanto, MDT

00:25:07 Sen. Brown

00:25:11 Ms. Wanke, DOJ

00:25:33 Sen. Brown

SENATE COMMITTEE ON HIGHWAYS AND TRANSPORTATION

March 16, 2017

PAGE 3 of 8

00:26:02 Ms. Wanke  
00:26:23 Sen. Brown  
00:26:42 Ms. Wanke  
00:27:12 Sen. Buttrey  
00:27:32 Ms. Wanke  
00:27:46 Sen. Buttrey  
00:28:16 Ms. Wanke  
00:28:28 Sen. Fitzpatrick  
00:29:09 Rep. Greef  
00:29:56 Sen. Fitzpatrick  
00:30:20 Rep. Greef  
00:31:01 Chair Vance  
00:31:09 Rep. Greef  
00:31:14 Sen. Gauthier  
00:31:35 Ms. Zanto  
00:31:54 Jon Swartz, Montana Department of Transportation (MDT)  
00:32:32 Sen. Gauthier  
00:32:44 Mr. Swartz, MDT

**Closing by Sponsor:**

00:33:28 Rep. Greef  
00:35:57 Chair Vance

**HEARING ON HB 459**

**Opening Statement by Sponsor:**

00:36:31 Rep. Willis Curdy (D), HD 98, opened the hearing on HB 459, Revise local government authority of certain speed limits.

**Proponents' Testimony:**

00:37:13 Eric Bryson, Montana Association of Counties (MACo)  
[EXHIBIT\(his55a04\)](#)  
[EXHIBIT\(his55a05\)](#)

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:38:50 Sen. Fitzpatrick  
00:39:11 Rep. Curdy  
00:39:33 Mr. Bryson, MACo  
00:40:15 Sen. Fitzpatrick  
00:40:27 Mr. Bryson  
00:40:56 Sen. Brown

00:41:20 Mr. Bryson  
 00:41:41 Sen. Brown  
 00:41:49 Sen. Webb  
 00:42:05 Mr. Bryson  
 00:42:44 Sen. Webb

**Closing by Sponsor:**

00:43:06 Rep. Curdy  
 00:43:17 Chair Vance

**HEARING ON SB 332**

**Opening Statement by Sponsor:**

00:43:56 Sen. Dee Brown (R), SD 2, opened the hearing on SB 332, Revise laws related to unpaid warrants and impoundment fees.

**Proponents' Testimony:** None

**Opponents' Testimony:**

00:46:05 Eric Bryson, Montana Association of Counties (MACo)  
 00:48:29 Bob Gilbert, Montana Tow Truck Association  
[EXHIBIT\(his55a06\)](#)

00:52:20 Jim Dusenberry, representing himself

**Informational Testimony:**

00:55:03 Greg Mohr, Montana Magistrates Association (MMA)  
 00:55:15 Major Robert Armstrong, Montana Highway Patrol (MHP)

**Questions from Committee Members and Responses:**

00:55:32 Sen. Gauthier  
 00:55:54 Mr. Armstrong, MHP  
 00:56:12 Sen. Gauthier  
 00:56:18 Mr. Armstrong  
 00:56:27 Sen. Pomnichowski  
 00:57:14 Mr. Mohr, MMA  
 00:57:49 Sen. Pomnichowski  
 00:58:21 Mr. Bryson, MACo  
 00:59:04 Mr. Mohr  
 01:00:28 Sen. Whitford  
 01:00:35 Mr. Mohr  
 01:00:47 Sen. Buttrey  
 01:01:02 Spook Stang, Motor Carriers of Montana (MCM)  
 01:01:08 Sen. Buttrey

01:01:22 Mr. Stang, MCM  
 01:01:49 Sen. Buttrey  
 01:02:04 Mr. Stang  
 01:02:32 Sen. Gauthier

**Closing by Sponsor:**

01:03:20 Sen. Brown  
 01:05:08 Chair Vance

**HEARING ON HB 415**

**Opening Statement by Sponsor:**

01:05:20 Rep. Shane Morigeau (D), HD 95, opened the hearing on HB 415, Revise transportation laws regarding travel in right lane.

**Proponents' Testimony:**

01:10:21 Major Robert Armstrong, Montana Highway Patrol (MHP)

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

01:12:25 Sen. Brown  
 01:13:29 Rep. Morigeau  
 01:14:49 Sen. Brown  
 01:15:18 Sen. Buttrey  
 01:15:41 Mr. Armstrong, MHP  
 01:16:27 Sen. Buttrey  
 01:16:33 Mr. Armstrong  
 01:17:29 Sen. Buttrey  
 01:17:43 Mr. Armstrong  
 01:17:53 Sen. Buttrey  
 01:18:04 Mr. Armstrong  
 01:18:33 Sen. Buttrey  
 01:19:18 Mr. Armstrong  
 01:20:13 Chair Vance  
 01:20:43 Mr. Armstrong  
 01:21:26 Sen. Buttrey  
 01:21:40 Sen. Boland  
 01:21:52 Mr. Armstrong  
 01:22:43 Chair Vance

**Closing by Sponsor:**

01:22:56 Rep. Morigeau

**COMMITTEE BUSINESS**

01:26:23 Chair Vance  
01:26:29 Sen. Brown  
01:26:49 Sen. Pomnichowski  
01:26:58 Chair Vance

**EXECUTIVE ACTION ON HB 355**

01:27:33 **Motion:** Sen. Fitzpatrick moved that **HB 355 BE CONCURRED IN.**

01:27:48 Sen. Buttrey

01:28:19 **Motion:** Sen. Buttrey moved that **HB 355 BE AMENDED.**  
**EXHIBIT(his55a07)**

**Discussion:**

01:28:21 Sen. Buttrey  
01:30:02 Sen. Brown  
01:30:45 Sen. Buttrey

01:31:31 **Vote:** Motion carried 9-1 by voice vote with Sen. D. Brown voting no. Sen. Gross voted by proxy.

01:31:54 **Motion:** Sen. Fitzpatrick moved that **HB 355 BE CONCURRED IN AS AMENDED.**

**Discussion:**

01:32:00 Sen. Brown  
01:32:36 Sen. Pomnichowski  
01:32:43 Sen. Buttrey  
01:33:00 Sen. Pomnichowski  
01:33:54 Sen. Whitford  
01:34:10 Sen. Buttrey  
01:35:07 Sen. Whitford  
01:35:46 Sen. Pomnichowski  
01:37:23 Sen. Buttrey  
01:39:26 Sen. Pomnichowski  
01:39:45 Sen. Buttrey  
01:39:59 Chair Vance  
01:40:07 Sen. Webb  
01:40:19 Sen. Buttrey  
01:40:47 Sen. Webb  
01:40:56 Sen. Whitford

SENATE COMMITTEE ON HIGHWAYS AND TRANSPORTATION

March 16, 2017

PAGE 7 of 8

01:41:12 Sen. Brown

01:41:28 **Vote:** Motion failed 2-8 by roll call vote with Sen. Fitzpatrick and Sen. Whitford voting aye. Sen. Gross voted by proxy.

01:42:05 **Motion/Vote:** Sen. Fitzpatrick moved that **HB 355 BE TABLED**. Motion carried 9-0 by voice vote.

**COMMITTEE BUSINESS**

01:42:20 Sen. Buttrey

01:42:34 Chair Vance

01:43:51 Sen. Brown

**ADJOURNMENT**

Adjournment: 4:15 PM

---

Tia Stockton, Secretary

ts

Additional Documents:

**EXHIBIT**([his55aad.pdf](#))